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§ 11207. Primary purposes

Shasta Dam shall be constructed and used primarily for the following purposes:

- (a) Improvement of navigation on the Sacramento River to Red Bluff.
- (b) Increasing flood protection in the Sacramento Valley.
- (c) Salinity control in the Sacramento-San Joaquin Delta.
- (d) Storage and stabilization of the water supply of the Sacramento River for irrigation and domestic use.

(Added by Stats.1943, c. 370, p. 1896.)

Historical and Statutory Notes

Derivations: Stats.1933, c. 1042, p. 2644, § 4; 107, p. 1134, § 5; Stats.1941, c. 701, p. 2215, Stats.1937, c. 920, p. 2334, § 2; Stats.1941, c. § 1.

§ 11208. Secondary purposes

Shasta Dam shall be constructed and used secondarily for the generation of electric power and other beneficial uses.

(Added by Stats.1943, c. 370, p. 1896.)

§ 11428. Limitations

The limitations prescribed in Section 11460 and 11463 shall also apply to any agency of the State or Federal Government which shall undertake the construction or operation of the project, or any unit thereof, including, besides those specifically described, additional units which are consistent with and which may be constructed, maintained, and operated as a part of the project and in furtherance of the single object contemplated by this part. (Added by Stats.1951, c. 1325, p. 3216, § 1.)

§ 11460. Prior right to watershed water

In the construction and operation by the department of any project under the provisions of this part a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived by the department directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein.

(Added by Stats.1943, c. 370, p. 1896. Amended by Stats.1957, c. 1932, p. 3410, § 296.)

§ 11461. Purchase of watershed water rights

In no other way than by purchase or otherwise as provided in this part shall water rights of a watershed, area, or the inhabitants be impaired or curtailed by the department, but the provisions of this article shall be strictly limited to the acts and proceedings of the department, as such, and shall not apply to any persons or state agencies.

(Added by Stats.1943, c. 370, p. 1896. Amended by Stats.1957, c. 1932, p. 3410, § 297.)

§ 11462. Creation of new property rights

The provisions of this article shall not be so construed as to create any new property rights other than against the department as provided in this part or to require the department to furnish to any person without adequate compensation therefor any water made available by the construction of any works by the department.

(Added by Stats.1943, c. 370, p. 1896. Amended by Stats.1957, c. 1932, p. 3410, § 298.)

§ 11463. Exchange of watershed water

In the construction and operation by the department of any project under the provisions of this part, no exchange of the water of any watershed or area for the water of any other watershed or area may be made by the department unless the water requirements of the watershed or area in which the exchange is made are first and at all times met and satisfied to the extent that the requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange.

(Added by Stats.1943, c. 370, p. 1896. Amended by Stats.1957, c. 1932, p. 3411, § 299.)

Part 4.5

SACRAMENTO-SAN JOAQUIN DELTA

Chapter	Section
1. General Policy	12200
2. The Delta	12220
3. Sacramento-San Joaquin Delta Levees	12223

Part 4.5 was added by Stats.1959, c. 1766, p. 4247, § 1.

Cross References

Fish and wildlife and recreation in connection with state water projects, see § 11900 et seq.

Chapter 1

GENERAL POLICY

Section

12200. Legislative findings and declaration.
 12201. Necessity of maintenance of water supply.
 12202. Salinity control and adequate water supply; substitute water supply; delivery.
 12203. Diversion of waters from channels of delta.
 12204. Exportation of water from delta.
 12205. Storage of water; integration of operation and management of release of water.

Chapter 1 was added by Stats.1959, c. 1766, p. 4247, § 1.

Law Review Commentaries

Delta preservation or delta ripoff. Gregory
 K. Wilkinson (1977) 53 Los Angeles Bar J. 152.

Library References

Electric power and development of Northern California. Reports of Assembly Interim Committee on Conservation. Planning and Public Works, 1955-1957, vol. 13, No. 18. Vol. 2 of Appendix to Journal of the Assembly, Reg.Sess., 1957.

§ 12200. Legislative findings and declaration

The Legislature hereby finds that the water problems of the Sacramento-San Joaquin Delta are unique within the State; the Sacramento and San Joaquin Rivers join at the Sacramento-San Joaquin Delta to discharge their fresh water flows into Suisun, San Pablo and San Francisco Bays and thence into the Pacific Ocean; the merging of fresh water with saline bay waters and drainage waters and the withdrawal of fresh water for beneficial uses creates an acute problem of salinity intrusion into the vast network of channels and sloughs of the Delta; the State Water Resources Development System has as one of its objectives the transfer of waters from water-surplus areas in the Sacramento Valley and the north coastal area to water-deficient areas to the south and west of the Sacramento-San Joaquin Delta via the Delta; water surplus to the needs of the areas in which it originates is gathered in the Delta and thereby provides a common source of fresh water supply for water-deficient areas. It is, therefore, hereby declared that a general law cannot be made applicable to said Delta and that the enactment of this law is necessary for the protection, conservation, development, control and use of the waters in the Delta for the public good.

(Added by Stats.1959, c. 1766, p. 4247, § 1.)

§ 12201. Necessity of maintenance of water supply

The Legislature finds that the maintenance of an adequate water supply in the Delta sufficient to maintain and expand agriculture, industry, urban, and recreational development in the Delta area as set forth in Section 12220, Chapter 2, of this part, and to provide a common source of fresh water for export to areas of water deficiency is necessary to the peace, health, safety and welfare of the people of the State, except that delivery of such water shall be subject to the provisions of Section 10505 and Sections 11460 to 11463, inclusive, of this code.

(Added by Stats.1959, c. 1766, p. 4247, § 1.)

§ 12202. Salinity control and adequate water supply; substitute water supply; delivery

Among the functions to be provided by the State Water Resources Development System, in coordination with the activities of the United States in providing salinity control for the Delta through operation of the Federal Central Valley Project, shall be the provision of salinity control and an adequate water supply for the users of water in the Sacramento-San Joaquin Delta. If it is determined to be in the public interest to provide a substitute water supply to the users in said Delta in lieu of that which would be provided as a result of salinity control no added financial burden shall be placed upon said Delta water users solely by virtue of such substitution. Delivery of said substitute water supply shall be subject to the provisions of Section 10505 and Sections 11460 to 11463, inclusive, of this code.

(Added by Stats.1959, c. 1766, p. 4247, § 1.)

§ 12203. Diversion of waters from channels of delta

It is hereby declared to be the policy of the State that no person, corporation or public or private agency or the State or the United States should divert water from the channels of the Sacramento-San Joaquin Delta to which the users within said Delta are entitled.

(Added by Stats.1959, c. 1766, p. 4249, § 1.)

§ 12204. Exportation of water from delta

In determining the availability of water for export from the Sacramento-San Joaquin Delta no water shall be exported which is necessary to meet the requirements of Sections 12202 and 12203 of this chapter.

(Added by Stats.1959, c. 1766, p. 4249, § 1.)

§ 12205. Storage of water; integration of operation and management of release of water

It is the policy of the State that the operation and management of releases from storage into the Sacramento-San Joaquin Delta of water for use outside the area in which such water originates shall be integrated to the maximum extent possible in order to permit the fulfillment of the objectives of this part.

(Added by Stats.1959, c. 1766, p. 4249, § 1.)